

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DARAN COHN, :
 Plaintiff : CIVIL ACTION
 : :
 : :
 v. : :
 : :
THE PENNSYLVANIA STATE UNIV., : NO. 19-2857
 Defendant : :

ORDER

AND NOW, this 28th day of May, 2020, upon consideration of Defendant's Motion to Dismiss Second Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(6) (Doc. No. 31), the response in opposition (Doc. No. 32), and the reply in support (Doc. No. 33), it is ORDERED that:

1. Defendant's Motion to Dismiss (Doc. No. 31) is **GRANTED IN PART** and **DENIED IN PART** as set forth in the accompanying Memorandum.
2. Plaintiff's claims for (1) punitive damages for Counts I through VI, and IX; (2) compensatory damages for Counts III and IV; (3) injunctive and declaratory relief; (4) breach of contract; and (5) promissory estoppel and detrimental reliance to the extent they are based on Defendant's communications concerning Plaintiff's eligibility to graduate are **DISMISSED** as set forth in the accompanying Memorandum.
3. Plaintiff's (1) intentional and negligent misrepresentation claims and (2) promissory estoppel and detrimental claims to the extent they are based on Defendant's alleged failure to abide by its policies and procedures survive the Motion to Dismiss as set forth in the accompanying Memorandum.

BY THE COURT:



GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE